

## REMARKS

### INTRODUCTION:

Claims 1-46 are pending and under consideration.

### ALLOWABLE SUBJECT MATTER:

In the Office Action, at page 6, item 6, the Examiner indicated that claims 2-9, 11-18, 29, 31, 43, and 45 would be allowable if rewritten in independent form. Applicants hold rewriting of these claims in abeyance until the Examiner has had the opportunity to review the arguments presented herein.

### CLAIM OBJECTIONS:

In the Office Action, at page 2, item 1, the Examiner objected to claim 7.

Applicants respectfully submit that the Preliminary Amendment filed March 17, 2006 amended claim 7 to depend from claim 6.

Applicants respectfully submit that the Examiner's objection is rendered moot by the March 17, 2006 Preliminary Amendment.

### REJECTION UNDER 35 U.S.C. §112:

In the Office Action, at page 2, item 3, the Examiner rejected claims 30, 32, 44 and 46 under 35 U.S.C. §112, second paragraph for the reasons set forth therein. The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Preliminary Amendment filed March 17, 2006, Applicants amended claims 30, 32, 44 and 46.

Applicants respectfully submit that the Examiner's rejection is rendered moot by the March 17, 2006 Preliminary Amendment.

### REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 3, item 5, the Examiner rejected claims 1, 10, 19-28, and 33-42 under 35 U.S.C. §102(b) as being anticipated by Sato et al., (US 6,262,817 – hereinafter Sato). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

The MPEP states: "[t]o anticipate a claim, the reference must teach every element of the claim." (MPEP 2131).

The MPEP then quotes: "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (Quoted in MPEP 2131).

The MPEP further quotes "[t]he elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required." *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). (Quoted in MPEP 2131).

Independent claim 1 recites: "...a chroma deflection generation unit to calculate a chroma deflection based on an input chroma signal detected from the input signal and a predetermined first reference value; a hue deflection generation unit to calculate a hue deflection based on an input hue signal detected from the input signal and a predetermined second reference value; a luminance deflection generation unit to calculate a luminance deflection based on an input luminance signal detected from the input signal and a predetermined third value; and a skin tone mapping function generation unit to output a compensated chroma signal, a compensated hue signal and a compensated luminance signal after individually compensating the input chroma, hue, and luminance signals based on the chroma deflection, the hue deflection and the luminance deflection."

Independent claim 10 recites: "...calculating a chroma deflection based on an input chroma signal detected from the input signal and a predetermined first reference value; calculating a hue deflection based on an input hue signal detected from the input signal and a predetermined second reference value; calculating a luminance deflection based on an input luminance signal and a predetermined third reference value; and outputting the compensated chroma, hue and luminance signals after individually compensating the input chroma, hue, and luminance signals based on the calculated chroma deflection, hue deflection, and luminance deflection."

Independent claim 19 recites: "...a first deflection calculation unit to detect a first amount of deflection of a first one of the image properties from a first reference value; a second deflection calculation unit to detect a second amount of deflection of a second one of the image properties from a second reference value; and a compensation unit which compensates the first and second image properties of the input image using the first and second amounts of deflection so as to output a compensated image."

And independent claim 33 recites: "...calculating a first amount of deflection of a first one of the image properties from a first reference value; calculating a second amount of deflection of a second one of the image properties from a second reference value; and compensating the first and second image properties of the input image using the first and second amounts of deflection so as to output a compensated image."

Sato discloses a system and method for adjusting a color image, in which a user is a necessary and integral part of adjusting the image. (See Sato, at FIGS. 3 and 9, col. 8, lines 15-33, and col. 11, lines 34-47). For example, as shown in FIG. 3 (S537 and S538) and FIG. 9 (S30), if there is no input from the user, there is no adjustment of the color image. In other words, the user determines the chroma deflection, the hue deflection, and the luminance deflection.

Thus, contrary to the Examiner's assertion, the functions of items S25, S26, and S27 (which are accomplished in the color adjusting unit 2), do not calculate the chroma deflection, the hue deflection, and the luminance deflection, respectively. Rather, the user inputs the respective deflections via the display area 50 and mouse pointers 503 of the image display unit 5, and the color adjusting unit 2 produces the set up matrix by adding the adjustment direction of the luminance, the chroma, and the hue, directed by the image display unit 5, for the original matrix. (See Sato, at col. 10, lines 33-36).

Applicants respectfully submit that Sato fails to disclose every element of the claims, arranged as required by the claims.

Accordingly, Applicants respectfully submit that the Examiner has not provided sufficient evidence to maintain a prima facie anticipation rejection of claims 1, 10, 19-28, and 33-42.

Applicant respectfully submits that independent claims 1, 8, 19, and 33 patentably distinguish over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicant respectfully submits that claims 20-28, and 34-42, which variously depend from independent claims 19 or 33, should be allowable for at least the same reasons as claims 19 and 33, as well as for the additional features recited therein.

#### CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding

objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

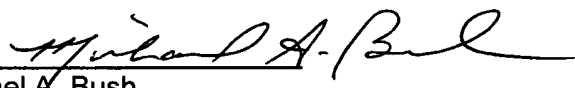
If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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